IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 7TH SEPTEMBER 2007 / 16TH BHADRA 1929

WA.No. 2071 of 2007

AGAINST THE ORDER IN WPC.24220/2007 Dated 08/08/2007

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APPELLANT: 3RD RESPONDENT

DR.SOMERVELL MEMORIAL C.S.I.
MEDICAL COLLEGE, KARAKONAM, KARAKONAM P.O.,
THIRUVANANTHAPURAM, REPRESENTED BY ITS
SECRETARY.

BY ADV. SRI.P.C.SASIDHARAN

RESPONDENTS: PETITIONERS & RESPONDENTS 1 & 2

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1. AUSTIN D.REJI, AGED 17 YEARS,
REPRESENTED BY HIS FATHER & GUARDIAN,
R.DEVARAJ, S/O S.RUSSEL, 'DININE',
MANNAYAM, NEDUMANGAD P.O.,
THIRUVANANTHAPURAM-41.

2. STATE OF KERALA, REPRESENTED BY THE
ADDITIONAL CHIEF SECRETARY, HIGHER EDUCATION
DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

3. COMMISSIONER FOR ENTRANCE EXAMINATION,
GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.

BY ADV. SRI.P.GOPINATHA MENON
R2, R3 BY SR.ADVOCATE SRI.C.S.VAIDYNATHAN

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 07/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN, J.

W.A . No. 2071 of 2007

Dated this the 7th day of September, 2007.

J U D G M E N T

H.L.Dattu, C.J.

A private Medical College is before us in this writ petition, questioning the correctness or otherwise of the orders passed by the learned Single Judge in W.P.(C). No.24220 of 2007 dated 8th August, 2007.

(2). The learned Single Judge, while admitting the writ petition has granted an interim order as has been granted in W.P.(C).No.19933 of 2007.

(3). The petitioner in W.P.(C).No.19933 of 2007 has withdrawn the writ petition on 5-9-2007. Since the learned Single Judge merely followed what has been said in W.P.(C).No.19933 of 2007 while granting the interim order to the petitioner in W.P.(C).No.24220 of 2007, in our opinion, nothing survives in this writ appeal for consideration of this court at this stage. Accordingly, the writ appeal is disposed of, as having become unnecessary. However, liberty is reserved to the appellant in this writ appeal, if it so desires, to participate before the Fee Fixation Committee and make out all its grievances before it. Needless to say, the Committee will take into consideration the grievances of the appellant, while fixing the fee structure for the private medical

colleges.

Ordered accordingly.

(H.L.DATTU)
CHIEF JUSTICE

(K.T.SANKARAN)
JUDGE

MS